



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
GULF REGION DIVISION  
BAGHDAD, IRAQ  
APO AE 09348



CEGRD-EO

15 October 2008

MEMORANDUM FOR All Gulf Region Division Military and Civilian Personnel

SUBJECT: GRD Policy Letter 15, Procedures for Filing Complaints of Discrimination – Contingent Employees 690-2

1. References:

- a. 29 Code of Federal Regulation (CFR), part 1614.
- b. Equal Employment Opportunity Discrimination Complaints, Army Regulation 690-600, dated 9 February 2004, Chapter 3-10.

2. As Commander of the U.S. Army Corps of Engineers, Gulf Region Division, I am responsible for ensuring that the following information is publicized and posted on all official bulletin boards, with easy access to all U.S. civilian contingent workers (contract employees) working on Gulf Region Division's installations.

3. The following guidance applies to civilian workers who are outside of the Army's "core" work force, such as independent contractors, volunteers, employees of government contractors, individuals participating in training, work-study or fellowship programs, and all other U.S. civilians working on Gulf Region Division's installations and projects without being on the activity's payroll or meeting the definition of a civil service employee under 5 USC Section 2105(a) or a non-appropriated funded employee described at section 2105(c).

- a. Inquiries from employees who are not civil service employees should be referred to the EEO officer, Bernadette A. Green at extension 3943.

- b. If you want to file an informal EEO complaint against your contractor, the EEO officer will provide the address and telephone number of the nearest Equal Employment Opportunity Commission (EEOC) field office. The nearest EEOC field office for the Gulf Region Division is:

Washington Field Office  
1801 L Street, NW.  
Suite 100  
Washington, D.C. 20507  
Telephone number: 202.419.0700

Mandatory Posting on all Official Bulletin Boards

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c. If you want to file an informal EEO complaint against the Army, the EEO officer will assign an EEO counselor and initially process your complaint in accordance with 29 CFR Part 1614 and AR 690-600.

d. You will be advised that depending upon the facts and circumstances surrounding your employment relationship with the federal government, the Army may not be your employer under Title VII or any other antidiscrimination laws.

e. Upon assignment of an EEO counselor, the EEO officer will contact management officials where you are working to obtain the working relationship information.

f. The EEO officer will forward the working relationship information to our labor counselor for a fact based analysis and legal opinion on whether you are covered as an Army employee under the antidiscrimination laws.

g. If you do not qualify as an Army employee, the EEO officer will (1) issue a Notice of Right to File a Formal Complaint of Discrimination, (2) dismiss any formal complaint for failure to state a claim, as well as for other applicable grounds, (3) issue the Notice of Right to Appeal to the EEOC Office of Federal Operations (OFO) and include an EEOC Form 573.

h. If you qualify as an Army employee, the EEO officer will process your informal complaint in accordance with 29 CFR Part 1614 and AR 690-600.

i. If you file a formal EEO complaint, the EEO officer will coordinate with the contracting officer's representative (COR), if applicable, to ensure compliance with any contractual responsibilities.

j. If you are an Army employee and the alleged discriminating official is a nonfederal employee, the EEO officer will, (1) process the complaint in accordance with 29 CFR Part 1614 and AR 690-600, (2) coordinate the complaint processing with the agency representative, who will then coordinate with the third-party employer.

4. I encourage leadership to resolve workplace disputes at the lowest possible level. The administrative dispute resolution process (ADR) is an excellent tool to offer an aggrieved team member in an effort to resolve disputes.

5. For additional information regarding the contingent employee discrimination complaint process, please consult the Gulf Region Division's EEO office intranet homepage or by contacting the EEO office at 540.665.3943, DSN: 265.3943 or by email: [Bernadette.A.Green@tac01.usace.army.mil](mailto:Bernadette.A.Green@tac01.usace.army.mil).

6. This memorandum supersedes 690-2, dated 15 May 2008.

*Michael R. Eyre*  
MICHAEL R. EYRE  
MG, USA  
Commanding